

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. W.A.  
DREW EDMONDSON, in his capacity as  
ATTORNEY GENERAL OF THE  
STATE OF OKLAHOMA AND  
OKLAHOMA SECRETARY OF THE  
ENVIRONMENT C. MILES TOLBERT,  
in his capacity as the TRUSTEE FOR  
NATURAL RESOURCES FOR THE  
STATE OF OKLAHOMA

PLAINTIFFS

v.

CASE NO.: 05-CV-00329 GKF –SAJ

TYSON FOODS, INC., TYSON  
POULTRY, INC., TYSON CHICKEN,  
INC., COBB-VANTRESS, INC.,  
AVIAGEN, INC., CAL-MAINE FOODS,  
INC., CAL-MAINE FARMS, INC.  
CARGILL, INC., CARGILL TURKEY  
PRODUCTION, LLC, GEORGE'S,  
INC., GEORGE'S FARMS, INC.,  
PETERSON FARMS, INC., SIMMONS  
FOODS, INC. and WILLOW BROOK  
FOODS, INC.

DEFENDANTS

AFFIDAVIT OF ROBERT GEORGE

STATE OF ARKANSAS                    )  
  ) ss.  
COUNTY OF WASHINGTON            )

I, Robert George, being first duly sworn on oath, do hereby depose and state:

1. I am an attorney for Tyson Foods, Inc. in this matter and pursuant to FED. R. CIV. P. 37(a)(4)(A) I am requesting compensation for the reasonable expenses and attorneys' fees incurred in making Tyson Food, Inc.'s Second Motion to Compel (Dkt. No. 1258).
2. I am requesting approval of a fee in the amount of \$4,150.58. The amount of this fee is calculated as follows:



Date	Person	Time (Hrs.)	Cost (\$)	Task
7/2/2007	R. George	2.2	440.00	Review State's responses to April 25, 2007 requests for production and outline deficiencies in same
7/2/2007	R. George	0.7	140.00	Begin drafting of Rule 26 deficiency letter to State regarding responses to April 25, 2007 requests for production
7/3/2007	R. George	1.8	360.00	Complete drafting of Rule 26 deficiency letter to State regarding responses to April 25, 2007 requests for production
7/25/2007	R. George	0.2	40.00	E-mail correspondence to opposing counsel to requests response to July 3, 2007 deficiency letter regarding State's responses to requests for production
8/8/2007	R. George	0.5	100.00	Telephonic Meet and Confer with Opposing Counsel
8/22/2007	R. George	1.9	380.00	Begin drafting motion to compel regarding State's responses to April 25 requests for production
8/30/2007	M. Bond	3.6	630.00	Review and edit motion to compel
8/31/2007	M. Bond	3.6	630.00	Review and edit motion to compel
9/24/2007	R. George	3.6	720.00	Prepare for hearing on motion to compel by reviewing briefs, relevant law and discovery responses
9/26/2007	R. George	1.5	150.00	Travel to Tulsa for hearing on motion to compel (one-half standard hourly rate)
9/26/2007	R. George	---	55.29	Mileage to Tulsa for hearing on motion to compel 48.5 ¢ (Current Mileage Rate) x 114 (Number of Miles Driven)
9/27/2007	R. George	1.5	300.00	Attend hearing and argue motion to compel before Judge Joyner
9/27/2007	R. George	1.5	150.00	Return travel from Tulsa following hearing on motion to compel (one-half standard hourly rate)
9/27/2007	R. George	---	55.29	Mileage returning from Tulsa following hearing 48.5 ¢ (Current Mileage Rate) x 114 (Number of Miles Driven)

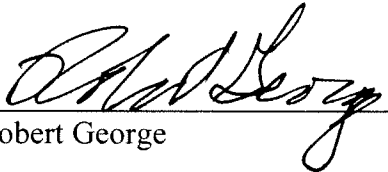
3. The amount of the requested attorneys' fees and expenses were arrived at after consideration of the customary fees in the community for similar services, the time spent on this matter, and the skill displayed by the attorney.

4. My usual hourly rate is \$200.00.

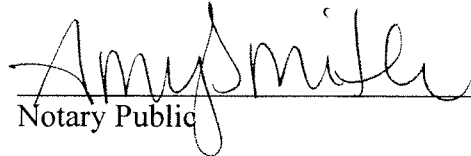
5. Michael Bond's usual hourly rate is \$175.00.

6.. I make this Affidavit in support of my Motion for Rule 37(a)(4)(A) Expenses and Attorneys' Fees.

FURTHER YOUR AFFIANT SAITH NOT

  
Robert George

Subscribed and sworn to before me this 26<sup>th</sup> day of October, 2007.

  
Notary Public

My Commission Expires:

5/2/2015

